Application No.:10/659,814 Docket No.: 29936/39462

## <u>REMARKS</u>

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "114" has been used to designate both oxide film and spacers. In response, Applicant has amended the numeral reference of the oxide file from "114" to --113-in FIG. 4. Also, Applicant has amended the paragraph of page 6, lines 16 to 21 in the specification describing the FIG. 4 as the above.

Claims 1-6 are rejected under 35 U.S.C.§ 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant has amended claims 1, 3, 5 and 6 to traverse the rejection. Applicants respectfully submit that all claims are in full compliance with 35 U.S.C. § 112.

An early action indicating the allowability of this application is respectfully requested. If any additional fees are due, the Patent Office is authorized to deduct said fees from Deposit Account No. 13-2855.

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Respectfully submitted,

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